

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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IN RE:

Lori A. Mahon
Bernard J. Mahon

Debtors.
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Chapter 7

Case No.: 19-04014 RNO

Objection to Notice of
Intention to Dismiss
Bankruptcy Case

**TO: THE HONORABLE ROBERT N. OPEL, II
UNITED STATES BANKRUPTCY JUDGE**

Christy M. DeMelfi, Esq. of the Law Office of Christy M. DeMelfi, PC, attorney for the debtors LORI A. MAHON and BERNARD J. MAHON, (hereinafter referred to as the "Debtors") respectfully represents under penalties of perjury the following statements as an Objection to Notice of Intention to Dismiss Bankruptcy Case issued by this Court on February 26, 2020:

1. I am the attorney of record for the debtor in the above captioned action and am fully familiar with the facts and circumstances of this case.
2. I submit this affirmation as an Objection to Notice of Intention to Dismiss Bankruptcy Case issued by this Court on February 26, 2020 (hereinafter referenced to as "Notice").
3. This Notice was issued because the Debtors failed to appear at the §341 Meeting of Creditors (hereinafter referred to as "341 Meeting" on more than one occasion.
4. The Debtors' initial 341 Meeting was to be held on November 18, 2019; however, your affirmant was ill that day and unable to obtain Court. The 341 Meeting

was rescheduled for December 16, 2019 but was later rescheduled due to the failure of the Debtors' to provide tax returns to the Trustee.

5. Upon learning of the rescheduling, I contacted Trustee DeHart's office and advised that I believed that my clients' did not have an obligation to file tax returns and that is why they were not supplied. I was informed to provide a signed statement to that effect from the Debtors.

6. The next 341 Meeting was scheduled for January 27, 2020. For about three weeks prior to this 341 Meeting my office attempted to contact the Debtors by phone and email but were not successful. I personally attempted to reach both Debtors the morning of the 341 Meeting by phone and left messages.

7. Upon arriving at the 341 Meeting on January 27, 2020, I checked my voicemails remotely and heard a voicemail from the Debtors' daughter advising me that Debtor Lori Mahon was taken to the hospital and they would be unable to attend the meeting.

8. After learning this information, I informed Trustee DeHart who notated the same and adjourned the 341 Meeting to February 24, 2020.

9. During the entire month of February up until the Friday before the 341 Meeting, my office again attempted to contact the Debtors by phone and email, but were not successful. We finally heard from the Debtors in the early AM on February 24, 2020. Mrs. Mahon had left my office a message stating that she was still ill and unable to attend the 341 Meeting later that day.

10. I contacted Trustee DeHart's office upon my arrival in the office on the morning of February 24 and informed left a message that my clients would not be attending the 341 Meeting.

11. Although the Debtors have failed to appear for the 341 Meeting to date, they are willing attend one. They have been paying the Trustee monthly since filing and have shown they intend to continue with the case.

WHEREFORE, it is respectfully requested that the Court deny the Intent to Dismiss Bankruptcy and reschedule a §341 meeting, and for such other and further relief as this Court may deem just and proper.

Dated: March 13, 2020

/s Christy M. DeMelfi
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